

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

On May 8, 2002, Applicants submitted an Information Disclosure Statement in the above-identified patent application. The Information Disclosure Statement, is attached hereto as Exhibit A.

On April 23, 2003, the Examiner issued a Office Action for the above-identified case. The Office Action was accompanied by a List Of References Cited By Applicant And Considered By Examiner. This list included the aforementioned Information Disclosure Statement of May 8, 2002, but references nos. 123 (JP 6314184), 127 (EP 370146), and 128 (EP 307925) were not considered by the Examiner. No reason was given in the Office Action, or in the List Of References Cited By Applicant And Considered By Examiner, of why these references were not considered. The Office Action, including the pertinent pages of the List Of References Cited By Applicant And Considered By Examiner, is attached hereto as Exhibit B.

Applicants hereby respectfully request that references nos. 123, 127, and 128 listed in the Information Disclosure Statement of May 8, 2002, be considered by the Examiner.

For the Examiner's convenience, references nos. 123, 127, and 128 are attached hereto as Exhibit C.

Although no fees are believed due in connection with this communication, please charge any fees deemed necessary to Deposit Account No. 19-1970. If additional information is required please contact the undersigned.

Respectfully submitted,

SHERIDAN ROSS P.C.

By:

Dennis J. Dupray
Registration No. 46299
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
(303) 863-9700

Date: MAY 5, 2008

EXHIBIT A



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

GOLDBERG et al.

Serial No.: 09/502,285

Filed: February 11, 2000

Attorney Docket No.: 3367-2-2

For: "Network Gaming System"

)

) Group Art Unit: 3713
)
)
Examiner: Carmen D. White

INFORMATION DISCLOSURE STATEMENT

Express Mail Label
No.:EL417660286US

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

The reference cited on attached Form PTO-1449 are being called to the attention of the Examiner.
of the cited reference:

- Is enclosed herewith.

Are not enclosed, in accordance with 37 C.F.R. 1.98(d), because the reference was submitted to the U.S. Patent and Trademark Office in prior application Serial No. _____ filed _____ which is relied upon for an earlier filing date under 35 U.S.C. § 120

To the best of applicants belief, the pertinence of the foreign-language references are believed to be summarized in the attached English abstracts and in the figures, although applicants do not necessarily vouch for the accuracy of the translation.

Examiner's attention is drawn to the following co-pending applications:

Serial No. 09/811,173 filed March 6, 2001
Serial No. 09/820,503 filed April 1, 2001

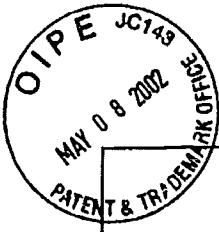
Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

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FEES

<input checked="" type="checkbox"/>	<p>No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith is being filed:</p> <p><input checked="" type="checkbox"/> within three months of the filing date of the Request for Continued Examination (RCE) or date of entry into the national stage of an international application or <input type="checkbox"/> before the mailing date of a first Office Action on the merits, whichever occurs last. 37 C.F.R. 1.97(b).</p> <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p>
<input type="checkbox"/>	<p>The information disclosure statement transmitted herewith is being filed after three months of the filing date of this national application or the date of entry of the national stage as set forth in 37 C.F.R. 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever occurred last but before the mailing date of either:</p> <p>(1) a final action under 37 C.F.R. 1.113 or (2) a notice of allowance under 37 C.F.R. 1.311, whichever occurs first. This Information Disclosure Statement is accompanied by:</p> <p><input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970. OR</p> <p><input type="checkbox"/> A check in the amount of \$240.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970.</p>
<input type="checkbox"/>	<p>This Information Disclosure Statement is being submitted after the mailing date of a final action under §1.113 or a notice of allowance under § 1.311, but before payment of the issue fee.</p> <p><input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e)</p> <p style="text-align: center;">AND</p> <p><input type="checkbox"/> Applicants hereby petition for consideration of the references disclosed herein. Enclosed is a petition fee in the amount of \$130.00 under 37 C.F.R. 1.17(i)(1). Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970.</p>
<input type="checkbox"/>	<p>Applicant elects to pay the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement, and the enclosed check includes \$240.00 for payment of such fee. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.</p>



**Certification (37 C.F.R. 1.97(e))
(Applicable only if checked)**

The undersigned certifies that:

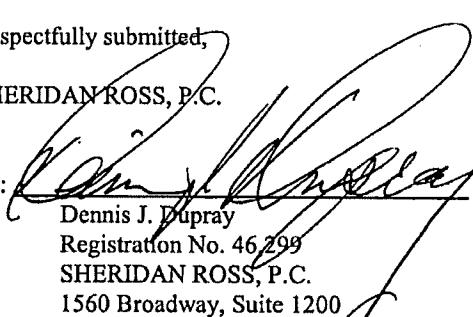
- Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).
 A copy of the communication from the foreign patent office is enclosed.

OR

- No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

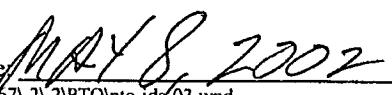
Respectfully submitted,

SHERIDAN ROSS, P.C.

By: 

Dennis J. Dupray
Registration No. 46,299
SHERIDAN ROSS, P.C.
1560 Broadway, Suite 1200
Denver, CO 80202-5141
303-863-2975
FAX: 303-863-0223

Date:


J:\3367\1-2\PTO\pto-ids-03.wpd

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 3367-2-2	SERIAL NO. 09/502,285
	APPLICANT GOLDBERG et al.	
	FILING DATE February 11, 2000	GROUP ART 3713

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROP.
	1	5,664,948	9/1997	Dimitriadis et al.	343	307 R	
	2	5,617,565	4/1997	Augenbraun et al.	395	604	
	3	5,660,366	2/1997	Schulman	348	9	
	4	5,600,366	2/1997	Schulman	348	9	
	5	5,583,563	12/1996	Wanderscheid et al.	348	9	
	6	5,579,537	11/1996	Takahisa	455	66	
	7	5,577,266	11/1996	Takahisa et al.	455	66	
	8	5,557,721	9/1996	Fite et al.	395	148	
	9	5,537,586	7/1996	Amram et al.	395	148	
	10	5,528,490	6/1996	Hill	364	600	
	11	5,515,098	5/1996	Carles	348	8	
	12	5,511,160	4/1996	Robson	395	162	
	13	5,498,003	3/1996	Gechter	273	434	
	14	5,483,466	1/1996	Kawahara et al.	364	514 C	
	15	5,471,629	11/1995	Risch	395	800	
	16	5,446,919	8/1995	Wilkins	455	6.2	
	17	5,442,771	8/1995	Filepp et al.	395	650	
	18	5,440,262	8/1995	Lee et al.	345	212	
	19	5,434,978	7/1995	Dockter et al.	395	200	
	20	5,428,606	6/1995	Moskowitz	370	60	
	21	5,426,594	6/1995	Wright et al.	364	514 R	
	22	5,414,773	5/1995	Handelman	380	49	
	23	5,404,505	4/1995	Levinson	395	600	
	24	5,377,354	12/1994	Scannell et al.	395	650	
	25	5,361,393	11/1994	Rossillo	395	650	
	26	5,357,276	10/1994	Banker et al.	348	7	

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

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	27	5,355,480	10/1994	Smith et al.	395	600	
	28	5,353,218	10/1994	De Lapa et al.	364	401	
	29	5,347,632	9/1994	Filepp et al.	395	200	
	30	5,345,594	9/1994	Tsuda	455	18	
	31	5,343,300	8/1994	Hennig	348	478	
	32	5,339,239	8/1994	Manabe et al.	364	401	
	33	5,337,155	8/1994	Cornelis	348	473	
	34	5,319,707	6/1994	Wasilewski et al.	380	14	
	35	5,319,455	6/1994	Hoarty et al.	348	7	
	36	5,305,195	4/1994	Murphy	364	401	
	37	5,301,028	4/1994	Banker et al.	348	570	
	38	5,285,272	2/1994	Bradley et al.	348	6	
	39	5,283,856	2/1994	Gross et al.	395	51	
	40	5,283,731	2/1994	Lalonde	364	401	
	41	5,283,639	2/1994	Esch et al.	348	6	
	42	5,261,042	11/1993	Brandt	395	156	
	43	5,231,493	7/1993	Apitz	358	146	
	44	5,230,048	7/1993	Moy	395	600	
	45	5,220,657	6/1993	Bly et al.	395	425	
	46	5,220,420	6/1993	Hoarty et al.	358	86	
	47	5,200,823	4/1993	Yoneda et al.	358	146	
	48	5,187,787	2/1993	Skeen et al.	395	600	
	49	5,182,640	1/1993	Takano	358	86	
	50	5,51,789	9/1992	Young	385	194.1	
	51	5,133,075	7/1992	Risch	395	800	
	52	5,105,184	4/1992	Pirani et al.	340	721	
	53	5,099,319	3/1992	Esch et al.	358	86	

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	54	5,077,607	12/1991	Johnson et al.	358	86	
	55	5,075,771	12/1991	Hashimoto	358	84	
	56	5,058,108	10/1991	Mann et al.	370	85.1	
	57	5,053,889	10/1991	Johnson	358	349	
	58	5,008,853	4/1991	Bly et al.	364	900	
	59	5,001,554	3/1991	Johnson et al.	358	86	
	60	4,994,908	2/1991	Kuban et al.	358	68	
	61	4,991,011	2/1991	Johnson et al.	358	141	
	62	4,987,486	1/1991	Johnson et al.	358	86	
	63	4,977,455	12/1990	Young	358	142	
	64	4,975,905	12/1990	Mann et al.	370	85.1	
	65	4,975,904	12/1990	Mann et al.	370	85.1	
	66	4,974,149	11/1990	Valenti	364	200	
	67	4,908,713	3/1990	Levine	385	335	
	68	4,908,707	3/1990	Kinghorn	358	147	
	69	4,890,321	12/1989	Seth-smith et al.	380	20	
	70	4,873,662	10/1989	Sargent	364	900	
	71	4,868,866	9/1989	Williams, Jr.	380	49	
	72	4,866,700	9/1989	Seth-Smith et al.	380	20	
	73	4,829,569	5/1989	Seth-Smith et al.	380	10	
	74	4,823,122	4/1989	Mann et al.	340	825.28	
	75	4,821,102	4,1989	Ichikawa et al.	358	183	
	76	4,815,030	3/1989	Cross et al.	364	900	
	77	4,775,935	10/1988	Yourick	364	101	
	78	4,768,110	8/1988	Dunlap et al.	360	33.1	
	79	4,751,669	6/1988	Striglis et al.	364	900	

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	80	4,751,578	6/1988	Reiter et al.	358	183	
	81	4,706,121	11/1987	Young	358	142	
	82	4,701,794	10/1987	Froling et al.	358	147	
	83	4,691,354	9/1987	Palminteri	380	15	
	84	4,691,351	9/1987	Hayashi et al.	380	10	
	85	4,677,466	6/1987	Lert, Jr. et al.	358	84	
	86	4,641,205	2/1987	Beyers, Jr.	360	33.1	
	87	4,575,579	3/1986	Simon et al.	178	4	
	88	4,536,791	8/1985	Campbell et al.	358	122	
	89	4,488,179	12/1984	Kruger et al.	358	181	
	90	4,476,488	10/1984	Merrell	358	86	
	91	4,429,385	1/1984	Cichelli et al.	370	92	
	92	4,405,946	9/1983	Knight	358	192.1	
	93	4,381,522	4/1983	Lambert	358	86	
	94	4,347,498	8/1982	Lee et al.	340	825.02	
	95	4,338,644	7/1982	Staar	360	132	
	96	4,307,446	12/1981	Barton et al.	364	200	
	97	4,305,101	12/1981	Yarbrough et al.	360	69	
	98	4,288,809	9/1981	Yabe	358	12	
	99	4,287,592	9/1981	Paulish et al.	370	88	
	100	4,224,644	9/1980	Lewis et al.	360	72.2	
	101	4,186,413	1/1980	Mortimer	358	146	
	102	4,170,782	10/1979	Miller	358	84	
	103	3,987,398	10/1976	Fung	325	309	
	104	3,848,193	11/1974	Martin et al.	325	53	

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FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
						YES	NO
105	GB 2 034 995 A	10/16/1979	United Kingdom	H03J	7/185/00	X	
106	GB 2 141 907 A	01/03/1985	United Kingdom	G06F 3/153	G09F 23/14	X	
107	GB 2 185 670 A	07/22/1987	United Kingdom	H04N	7/087	X	
108	GB 2 207 314 A	1/25/1989	United Kingdom	G11B H04N	15/02 7/00	X	
109	GB 2 256 549 A	9/12/1992	United Kingdom	H04N	5/782	X	
110	GB 2 281 434 A	1/3/1995	United Kingdom	G10H	1/00	X	
111	WO 88/04507	6/16/1988	PCT	HO4N	7/087	X	
112	WO 90/07844	7/12/1990	PCT	HO4N	5/782	X	
113	WO 93/09631	5/13/1993	PCT	HO4N	1/00	X	
114	WO 92/12488	7/23/1992	PCT	G06F	15/20	X	
115	WO 93/19427	9/30/1993	PCT	G06F	15/21	X	
116	WO 96/30864	10/3/1996	PCT	G06K	13/00	X	
117	WO 96/34466	10/31/1996	PCT	HO4H	1/00	X	
118	WO 96/36141	11/14/1996	PCT	HO4H	1/00	X	
119	WO 95/31069	11/16/1995	PCT	HO4N	7/087, 7/08	X	
120	GB 2 185 670 A	7/22/87	UK				
121	GB 2 034 995	6/11/80	UK				
122	GB 2 185 670 A	7/22/87	UK				
123	JP 6314184	11/8/94	Japan (Abstract)				
124	EP 680179		EPO (Abstract) (Dialog Accession No. 00718055 in Dialog® File 348)				
125	EP 680235		EPO (Abstract) (Dialog Accession No. 00718054 in Dialog® File 348)				

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	126	EP 680173		EPO (Abstract) (Dialog Accession No. 00718052 in Dialog® File 348)					
	127	EP 370146		EPO (Abstract) (Dialog Accession No. 00319023 in Dialog® File 348)					
	128	EP 307925		EPO (Abstract)					
	129	EP 290207		EPO (Abstract) (Dialog Accession No. 00311901 in Dialog® File 348)					
	130	EP 279297		EPO (Abstract)					

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

	131	Phillips; "An Interpersonal Multimedia Visualization System"; <i>IEEE Computer Graphics & Applications</i> ; 1991, pgs. 20-27
	132	Jackson et al.; "InterMail: A Prototype Hypermedia Mail System"; <i>Hypertext '91 Proceedings</i> ; December 1991, pgs. 405-9
	133	Borenstein; "Multimedia Electronic Mail: Will the Dream Become a Reality?"; <i>Communications of the ACM</i> ; April 1991, 34(4), pgs. 117-119
	134	Cooperstock et al.; "Why Use a Fishing Line When You Have a Net? An Adaptive Multicast Data Distribution Protocol"; <i>USENIX Technical Conference</i> ; January 22-26, 1996; pgs. 343-352
	135	Thimm; "A Multimedia Enhanced CSCW Teleservice for Wide Area Cooperative Authoring of Multimedia Documents"; <i>S/GO/S Bulletin</i> ; December 1994, 15(2); pgs. 49-57
	136	Zuckermann; "Pushing the Envelope on Delivery of Customized Internet"; <i>New York Times</i> ; December 9, 1996; 2 pgs.
	137	Berst; "Push' Products Redefine Internet"; <i>PC Week</i> ; November 25, 1996; pg. 63
	138	Barrie et al.; "The World Wide Web As An Instructional Tool"; <i>Science</i> ; October 18, 1996; 274; pgs. 371-372
	139	Brown; "LapLink Keeps In Touch"; <i>PC Magazine</i> ; January 7, 1997; pg. 60
	140	Finnie; "Look, Ma! No Brower"; <i>PC Magazine</i> ; January 7, 1997; pg. 60
	141	"Intermind 'pushes' 140 New Web Channels, Thre Times That of Marimba, Backweb and Ifusion Combined"; <i>SchwabOnline</i> ; February 6, 1997; 2 pgs.
	142	"Patent Office May Hinder Hopping of Bunny Across Computerscreens"; <i>Washington Times</i> ; 1997; 2 pgs.
	143	Hassett et al.; "Technical Excellence Online Winner: The PointCast Network"; <i>PC Magazine Online</i> ; 1996; 1 pg.
	144	Alsop; "PointCast and Its Wannabes"; <i>Fortune</i> ; November 25, 1996; 2 pgs.
	145	Abate; "Major Deal To Map Internet Future"; <i>San Francisco Examiner</i> ; December 12, 1996; 1 pg.
	146	Zuckerman; "Microsoft and Pointcast in Broadcast Alliance"; <i>New York Times</i> ; December 12, 1996; 1 pg.
	147	Bank; "Microsoft Picks On-Line News From PointCast"; <i>Wall Street Journal</i> ; December 12, 1996; 1 pg.

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148	Bank; "Inverted Web: How Net is Becoming More Like Television To Draw Advertisers"; <i>Wall Street Journal</i> ; December 13, 1996; 3 pgs.
149	Andres; "User Friendly: PointCast's 'Push' Method Could Be The Next Wave"; <i>Personal Technology</i> ; December 1, 1996; 1 pg.
150	Haar; "Young Turks Point The Way Offline"; <i>CyberMedia</i> ; October 14, 1996; 2 pgs.
151	Finnie; "Free News You Can Use"; <i>PCCOMPUTING.COM</i> ; 1 pg.
152	Rapoza; "I-Server: Gotta Have It"; <i>PC Week</i> ; October 28, 1996; 12(43); 1 pg.
153	Nelson; "Information Distribution System: PointCast I-Server Pleases All"; <i>Info World</i> ; November 18, 1996; pg. IW/3 and IW/8
154	Dieberger; "Browsing The WWW by Interacting With a Textual Virtual Environment – A Framework for Experimenting With Navigational Metaphors"; <i>Hypertext '96</i> ; 1996; pgs. 170-179
155	Miller; "News On-Demand for Multimedia Networks"; <i>ACM Multimedia</i> ; 1993; pgs. 383-392
156	Story et al.; "The RightPages Image-Based Electronic Library for Alerting and Browsing"; <i>IEEE</i> , September 1992; pgs. 17-25
157	Ramanathan et al.; "Architectures for Personalized Multimedia"; <i>IEEE</i> ; 1994; pgs. 37-46
158	"Yahoo! BackWeb Channel Guide!"; <i>Yahoo Channel Guide: What's Going On?</i> ; 2 pgs.
159	Ramanathan et al.; "(Title Unknown)"; <i>Computer Networks and ISDN Systems</i> ; 26; 1994; pgs. 1317-1322
160	O'Connell; "Turning On To Screen Savers"; <i>IAC News</i> ; 1997; 2 pgs.
161	"PED Delivers Personalized Newspapers To Users Desktops"; <i>IAC News</i> ; 1997; 2 pgs.
162	"Journal: A New Prodigy Add-On"; <i>DB Svcs.</i> ; 1997; 1 pg.
163	"Journalist Delivers Your Own Personalized Newspaper"; <i>IAC News</i> ; 1997; 1 pg.
164	"UK: Home Computer From Your Own Correspondent"; <i>Reuters Info Svcs.</i> ; 1996; 2 pgs.
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166	Pinella et al.; "Individual, Inc. Announced Today Shipment Of A New Release Of Its Flagship"; <i>Businesswire</i> ; September 18, 1995; 2 pgs.
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FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 3367-2-2	SERIAL NO. 09/502,285
INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)		APPLICANT GOLDBERG et al.	
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